IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

WP(C).No. 16030 of 2007(G)

PETITIONER:

**SMT.A.R.HELEN, AGED 30, D/O.J.ANTONY,
WORKING AS L.D.TYPIST, OFFICE OF THE DISTRICT
ELECTRICAL INSPECTOR, THIRUVANANTHAPURAM,
RESIDING AT SALEM NIVAS, PIPE LINE ROAD,
RAVI NAGAR, PEROORKADA P.O.,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.P.PUSHPARAJAN
SMT. MANJU ANTONY
SRI.P.R.S.RAJA**

RESPONDENTS:

1. **STATE OF KERALA, REPRESENTED BY THE ELECTRICITY (POSER) SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE CHIEF ELECTRICAL INSPECTOR,
OFFICE OF THE CHIEF ELECTRICAL INSPECTOR,
HOUSING BOARD BUILDINGS, THIRUVANANTHAPURAM.**

3. **THE DISTRICT ELECTRICAL INSPECTOR,
OFFICE OF THE DISTRICT ELECTRICAL INSPECTOR,
COSRPORATION BUILDINGS, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 16030 OF 2007-G

JUDGMENT

The petitioner is an appointee under Rule 9(a)(i) of the Kerala State and Subordinate Services Rules under the respondents. She is a physically handicapped person. Therefore, she claims regularization in service.

2. At present, there is no rule or order enabling a physically handicapped person appointed on 27.11.2006 to claim regularization in service. Therefore, the claim of the petitioner cannot be upheld. But, the learned counsel for the petitioner submits that the petitioner is eligible to be considered for regularization in the 3% vacancies set apart for physically handicapped persons. But, selection to those posts is through a separate channel. A panel of persons to be appointed under the 3% quota has to be prepared by the District Collector and thereafter appointment is made from it. The appointee appointed under Rule 9(a)(i), on being sponsored by the Employment Exchange, cannot claim regularization under the 3% quota. Accordingly, the writ petition fails and it is dismissed.

28th May, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/